

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PAR PHARMACEUTICAL, INC.,  
PAR STERILE PRODUCTS, LLC,  
and ENDO PAR INNOVATION  
COMPANY, LLC,

Plaintiffs,

v.

EAGLE PHARMACEUTICALS  
INC.,

Defendant.

Civil Action No. 18-823-CFC

**ORDER**

At Wilmington this First day of July, 2019:

Having studied the parties' briefing in connection with the disputed claim terms, D.I. 61, and the intrinsic evidence submitted by the parties, D.I. 62, and having heard oral argument, for the reasons articulated by the Court during the July 1, 2019 *Markman* hearing, the Court adopts the following constructions:

CLAIM TERM	COURT'S CONSTRUCTION
"vasopressin degradation products" #239 patent	Plain and ordinary meaning, no construction necessary.
"acetate buffer" #223 patent	A solution containing a mixture of acetic acid and acetate that is capable of resisting change in pH upon the addition of acidic or basic substances

CLAIM TERM	COURT'S CONSTRUCTION
<p>"10 mM acetate buffer"</p> <p>#478 patent</p>	<p>A solution containing a mixture of acetic acid and acetate, with a total concentration of 10mM, that is capable of resisting change in pH upon the addition of acidic or basic substances</p>
<p>"administering to the human a unit dosage form"</p> <p>#478 patent and #209 patent</p>	<p>Plain and ordinary meaning; no construction necessary.</p>
<p>"administering the diluted unit dosage form to the human by intravenous administration"</p> <p>#239 patent</p>	<p>Plain and ordinary meaning; no construction necessary.</p>
<p>"intravenously administering the pharmaceutical composition to the human"</p> <p>#526 patent</p>	<p>Plain and ordinary meaning; no construction necessary.</p>
<p>"intravenously administering the portion of the pharmaceutical composition to the human"</p> <p>#223 patent</p>	<p>Plain and ordinary meaning; no construction necessary.</p>
<p>"intravenously administering the second portion of the pharmaceutical composition to the human"</p> <p>#223 patent</p>	<p>Plain and ordinary meaning; no construction necessary.</p>



CONNOLLY, UNITED STATES DISTRICT JUDGE